CMAPL NO. 102 OF 2003
&
MISC. CASE NO. 97 OF 2003

02. 20.11.2017 This is an application for restoration of second appeal dismissed for default by recalling the order dated 23.06.2003. There being delay of 129 days on filing the application, prayer has been made for condonation of delay submitting another application under section 5 of the Limitation Act.

Learned counsel for the appellant prays for time to take steps.

Perusal of the record reveals that the petitioner had been directed by order dated 09.04.2007 to take steps for service of notice upon the opposite parties. As yet for more than a decade and half, no such step has been taken.

In view of aforesaid, I am not inclined to accept the submission of the learned counsel for the petitioner.

Accordingly, the petitions stand dismissed.

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D. Dash, J.

Narayan